

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

DOMINIQUE TORNELL GREEN,)
)
Plaintiff,)
)
v.)
)
U.S. MARSHALS SERVICE; CHARLESTON)
COUNTY DETENTION CENTER; P.H.S.)
MEDICAL CENTER STAFF/COMPANY;)
ARAMARK INC./FOOD SERVICES; SHERIFF)
J. AL CANNON FR., ESQ.; CHIEF DEPUTY K.P.)
NOVAK; AND ROLAND H. WINDHAM, JR.,)
)
Defendants.)
_____)

Civil Action No. 4:04-02228

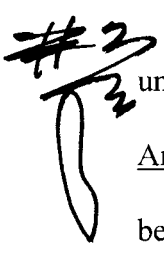
ORDER

This matter is before the Court on the *pro se* Plaintiff's complaint, which alleges violations of his constitutional rights pursuant to 42 U.S.C. § 1983. By local rule, this matter was referred to United States Magistrate Judge Thomas R. Rogers, III for review.

On November 17, 2004, Defendants Charleston County Detention Center ("CCDC"), Cannon, Novak, and Windham filed a motion to dismiss. Then, on December 28, 2004, Defendant United States Marshals Service filed a motion for summary judgment. Also on December 28, 2004, Defendant P.H.S. Medical Center filed a motion to dismiss or, in the alternative, for summary judgment. On August 11, 2005, Magistrate Judge Rogers issued a report and recommendation ("R&R"), which this Court affirmed in part, vacated in part, and remanded. Specifically, in an Order dated October 17, 2005, the Court granted Defendant P.H.S. Medical Center's motion for summary judgment, denied Defendants CCDC, Cannon, Novak, and Windham's motion to dismiss, declined to dismiss the United States Marshals Service, and remanded the matter for further proceedings.


Thereafter, on March 22, 2006, Defendant United States Marshals Service filed a motion for summary judgment, and on April 20, 2006, Defendants CCDC, Cannon, Novak, and Windham filed a motion for summary judgment. Pursuant to Roseboro v. Garrison, 528 F.2d 309 (4 th Cir. 1975), the Court advised the Plaintiff of both motions and the procedure for responding to both motions, including the consequences of a failure to do so. On August 21, 2006, the Plaintiff filed a response.

On February 21, 2007, the Magistrate Judge issued a second R&R, recommending that the Court grant both Defendant United States Marshals Service's motion for summary judgment and Defendants CCDC, Cannon, Novak, and Windham's motion for summary judgment. Attached to the R&R was a notice giving the Plaintiff ten days in which to file specific, written objections to the R&R. To date, no such objections have been filed.

 Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a magistrate judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, there are no portions of the R&R to which the Court must conduct a de novo review. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of this Court, and it is

ORDERED that Defendant United States Marshals Service's motion for summary judgment (document #45) **IS GRANTED** and Defendants' CCDC, Cannon, Novak, and Windham's motion for summary judgment (document #48) **IS GRANTED**.

IT IS SO ORDERED.


The Honorable Sol Blatt, Jr.
Senior United States District Judge

March 14, 2007
Charleston, South Carolina

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